

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CARLTON TOWNSEND,

Plaintiff(s)

vs.

OHIO , STATE OF, et. al.,

Defendant(s)

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Case Number: 1:05cv765

District Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Timothy S. Hogan filed on September 28, 2007(Doc. 21), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired October 18, 2007, hereby ADOPTS said Report and Recommendations.

Defendants submitted evidence that adequately supports their summary judgment motion (Doc. 19) and demonstrates there is no issue of any material fact. Plaintiff, however, did not submit any probative evidence necessary to resolve the parties' differing versions of the dispute at trial; instead, he merely made conclusory allegations which are not sufficient to defeat a properly supported summary judgment motion.

Accordingly, Defendants' motion for summary judgment (Doc. 19) is **GRANTED**. This case is **TERMINATED** on the Court's docket.

IT IS SO ORDERED.

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s/Susan J. Dlott  
Susan J. Dlott  
United States District Judge